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December 13, 2022

VIA ECF

Hon. Analisa Torres
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: Aljahmi. v. 1738 Finest Deli Inc *et al.*
Case No.: 22-cv-4138 (AT)

Dear Judge Torres:

We represent Plaintiff in this matter. We write to again respectfully request that the Court issue an order directing Defendant Aljahmi to contact me to cooperate in drafting the joint letter and Case Management Plan and Scheduling Order. As the Court will recall, the Corporate Defendant has defaulted, but Defendant Aljahmi appears to want to defend himself in this case. However, he has not retained counsel, and he filed an answer via a fax sent to my office rather than with the Court. On November 29, 2022 the Court again extended the parties to file the joint letter and Case Management Plan and Scheduling Order by December 13, 2022. However, the Court's order also required Plaintiff to move for a default judgment if "Defendants have not cooperated with Plaintiff, have not filed a notice of appearance, and have not filed an answer to the complaint by that date"

I sent a letter attaching the November 29, 2022 order to Defendant Aljami on the same day and implored him to contact me so that we could file the required joint documents. In response, Defendant Aljahmi faxed me a letter, which he appears to have also sent to the Court, attaching his answer (see attached letter from Defendant Aljahmi). Defendant Aljahmi has not called me, however, and I have been unable to reach him through the only phone number in my possession.

Because Defendant Aljahmi appears to have filed an answer, it would not be appropriate to move for a default judgment against him at this stage. However, I cannot file the joint letter and Case Management Plan and Scheduling Order without his cooperation, and he refuses to contact me. We therefore respectfully request that the Court direct Defendant Aljahmi

to contact me so that the parties can submit the joint letter and Case Management Plan and Scheduling Order.

Thank you for your attention to the above.

Respectfully Submitted,

/s/

Michael Taubenfeld

GRANTED.

By **February 13, 2023**, the parties are directed to file a joint letter and proposed case management plan.

Defendant, Abdullah Aljahmi, is directed to communicate and cooperate with Plaintiff's counsel. Failure to do so will constitute failure to comply with a Court order and may result in contempt proceedings and sanctions.


Defendant Aljahmi is also directed to mail any filings to the Pro Se Intake Unit at 40 Foley Square, Room 105, New York, New York 10007. Defendant Aljahmi shall not mail his filings to chambers.

Additionally, Defendant Aljahmi's letter to Plaintiff, ECF No. 21-1, seems to indicate that he intends to represent himself and Defendant, 1738 Finest Deli Inc. Defendant Aljahmi is advised that he may proceed *pro se*, without an attorney, but that Defendant, 1738 Finest Deli Inc., may not proceed *pro se*. See *Hounddog Prods., L.L.C. v. Empire Film Grp., Inc.*, 767 F. Supp. 2d 480, 486 (S.D.N.Y. 2011). By **February 13, 2023**, Defendant, 1738 Finest Deli Inc., shall retain counsel and counsel shall file a notice of appearance on the docket. Failure to do so will result in the Court instructing Plaintiff to move for default against Defendant, 1738 Finest Deli Inc.

The Clerk of Court is directed to mail a copy of this order to Defendant *pro se* at 7729 Kentucky St, Dearborn, MI 48126.

SO ORDERED.

Date: December 14, 2022
New York, New York



ANALISA TORRES
United States District Judge